

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-2989-AT**

**[PROPOSED] STIPULATED ORDER REGARDING  
TRIAL WITNESSES AND EXHIBITS**

Pursuant to final agreement reached and this Court's directive, this Stipulation is made and entered into by the Curling Plaintiffs, the Coalition Plaintiffs, (collectively, "Plaintiffs"), and Defendants with reference to the following:

1. PX 179 is admitted into evidence, but not for the truth of the matter asserted therein. Plaintiffs agree not to call Mr. Greg Freemyer in their case-in-chief;
2. Plaintiffs may designate deposition testimony for David Hamilton in lieu of calling him as a witness in their case-in-chief. Defendants reserve the right to call David Hamilton as a witness in their case. Plaintiffs shall disclose the designations they intend to submit no later than Tuesday, January 16, at 6:00pm. Defendants shall respond with counter-designations and objections

to Plaintiffs' designations no later than Wednesday, January 17, 2024, at 6:00pm; and,

3. In an effort to cut down on the use of court time, Plaintiffs may designate non-cumulative deposition testimony for Gabriel Sterling and Merritt Beaver, in addition to calling Messrs. Sterling and Beaver as live witnesses in their case-in-chief. Plaintiffs shall disclose the designations they intend to submit no later than Tuesday, January 16, at 6:00pm. Defendants shall respond with counter-designations and objections to Plaintiffs' designations no later than Wednesday, January 17, 2024, at 6:00pm.

The parties agree that this approach will increase efficiency for the parties and reduce the burden on various witnesses who must attend trial.

**IT IS SO ORDERED** this \_\_\_\_ day of January, 2024.

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U.S. District Court Judge Amy Totenberg

Respectfully submitted this 16th day of January, 2024.

/s/ David D. Cross

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**CERTIFICATE OF COMPLIANCE**

Pursuant to LR 7.1(D), I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ David D. Cross  
David D. Cross

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2024, a copy of the foregoing  
[PROPOSED] STIPULATED ORDER REGARDING TRIAL WITNESSES AND  
EXHIBITS was electronically filed with the Clerk of Court using the CM/ECF  
system, which will automatically send notification of such filing to all attorneys of  
record.

/s/ David D. Cross  
David D. Cross